IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF MISSISSIPPI JACKSON DIVISION

OLIVIA Y., et al. PLAINTIFFS

v. CIVIL ACTION NO. 3:04CV251LN

HALEY BARBOUR, as Governor of the State of Mississippi, et al. DEFENDANTS

AGREED MOTION FOR CONSENT ORDER

Whereas Defendants notified the Plaintiffs on March 17, 2010, of a proposed furlough of Division of Family and Children's Services ("DFCS") employees to occur on April 2, 2010, and whereas the parties engaged in good faith negotiations regarding any such furloughs, the parties respectfully request the entry of the enclosed Consent Order setting a maximum of no more than three furlough days during the current fiscal year for DFCS employees.

Respectfully submitted, this 26th day of March, 2010.

/s Shirim Nothenberg

Marcia Robinson Lowry (MBN 43991 pro hac vice)
Eric E. Thompson (MBN 43993 pro hac vice)
Shirim Nothenberg (MBN 43990 pro hac vice)
Jessica Polansky (MBN 45356 pro hac vice)
CHILDREN'S RIGHTS
330 7th Avenue, 4th floor
New York, New York 10001
Telephone: (212) 683-2210

W. Wayne Drinkwater, Jr. (MBN 6193) BRADLEY ARANT ROSE & WHITE LLP 188 East Capitol Street, Suite 450 Jackson, Mississippi 39201 Telephone: (601) 948-8000 Facsimile: (601) 948-3000

John Lang (MBN 43987 pro hac vice) Christian Carbone (MBN 43986 pro hac vice) John Piskora (MBN 44474 pro hac vice) LOEB & LOEB LLP 345 Park Ave. New York, New York 10154 Telephone: (212) 407-4000

Plaintiffs' counsel

/s Rusty Fortenberry

Dewitt L. ("Rusty") Fortenberry, Jr. (MSB # 5435) Kenya Key Rachal (MSB #99227) Gretchen L. Zmitrovich (MSB #101470) Ashley Tullos Young (MSB #101839) BAKER, DONELSON, BEARMAN, CALDWELL & BERKOWITZ, PC 4268 I-55 North Meadowbrook Office Park P.O. Box 14167 Jackson, Mississippi 39211 Telephone: (601) 351-2400 Facsimile: (601) 351-2424

Harold E. Pizzetta, III, Esq. **Assistant Attorney General** General Civil Division Carroll Gartin Justice Building 430 High Street Jackson, Mississippi 39201 Defendants' counsel

CERTIFICATE OF SERVICE

I hereby certify that on March 26, 2010, I electronically filed the foregoing Agreed Motion for Consent Order with the Court using the ECF system, which sent notification of such filing to the following:

> Dewitt L. ("Rusty") Fortenberry Jr., Esq. Kenya Key Rachal, Esq. Gretchen L. Zmitrovich, Esq. Ashley Tullos Young, Esq. BAKER, DONELSON, BEARMAN, CALDWELL & BERKOWITZ, PC 428 I-55 North Meadowbrook Office Park Jackson, MS 39211 (601) 351-2400

Harold E. Pizzetta, III, Esq. **Assistant Attorney General** General Civil Division Carroll Gartin Justice Building 430 High Street Jackson, Mississippi 39201

Attorneys for Defendants Haley Barbour, et al.

Grace M. Lopes 1350 Connecticut Avenue, N.W. **Suite 1000** Washington, D.C. 20036 (202) 232-8311

Monitor for Olivia Y.

<u>/s</u>	Shirim	Nothen	berg